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*Attorneys for Proposed
Lead Plaintiff Joel Krieger*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JOEL KRIEGER, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

ATHEROS COMMUNICATIONS, INC.,
DR. WILLY C. SHIH, DR. TERESA H.
MENG, DR. CRAIG H. BARRATT,
ANDREW S. RAPPAPORT, DAN A.
ARTUSI, CHARLES E. HARRIS,
MARSHALL L. MOHR, CHRISTINE
KING, QUALCOMM INCORPORATED,
and T MERGER SUB, INC.,

Defendants.

Case Number 11-CV-00640-LHK

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER WAIVING ORAL ARGUMENT
REGARDING PLAINTIFF'S LEAD
PLAINTIFF MOTION PURSUANT TO
CIVIL LOCAL RULE 7-1(b)**

Judge: Hon. Lucy H. Koh
Date: December 15, 2011
Time: 1:30 p.m.
Ctrm: #8, 4th Floor

1 WHEREAS, plaintiff Joel Krieger ("Plaintiff") filed his First Amended Complaint on June
2 30, 2011, alleging violations of §§14(a) and 20(a) of the Securities Exchange Act of 1934 (the
3 "Exchange Act") by Atheros Communications, Inc., Dr. Willy C. Shih, Dr. Teresa H. Meng, Dr.
4 Craig H. Barratt, Andrew S. Rappaport, Dan A. Artusi, Charles E. Harris, Marshall L. Mohr,
5 Christine King, Qualcomm Incorporated and T Merger Sub, Inc. (collectively "Defendants"). *See*
6 Docket Entry ##50-51;

7 WHEREAS, Plaintiff moved for appointment as Lead Plaintiff pursuant to §21D of the
8 Exchange Act and for approval of his choice of Faruqi & Faruqi, LLP ("F&F") as Lead Counsel for
9 the proposed class (the "Lead Plaintiff Motion") on September 16, 2011. *See* Docket Entry ##52-
10 54;

11 WHEREAS, no opposition has been filed to the Lead Plaintiff Motion, which has been
12 noted in Plaintiff's reply memorandum in further support of the Lead Plaintiff Motion, filed on
13 October 7, 2011. *See* Docket Entry #55;

14 WHEREAS, Civil Local Rule 7-1(b) permits that "...upon request by counsel and with the
15 Judge's approval, a motion may be determined without oral argument or by telephone conference
16 call";

17 WHEREAS, since there is no opposition to the Lead Plaintiff Motion, counsel for the parties
18 have met and conferred and agree to waive oral argument, subject to the Court's approval, and that
19 the hearing on the Lead Plaintiff Motion, currently set for hearing on December 15, 2011, at 1:30
20 p.m., in the above referenced Court, may be taken off calendar; and

21 WHEREAS, good cause exists for entry of this Stipulation and Order as it will promote the
22 fair and expeditious resolution of this Litigation, while also acting in furtherance of judicial
23 efficiency.

24 IT IS HEREBY STIPULATED AND AGREED, pursuant to Civil Local Rule 7-1(b), by and
25 among the parties hereto through their undersigned counsel, subject to the approval of the Court,
26
27

1 that oral argument is waived concerning the Lead Plaintiff Motion and that the hearing set for
2 December 15, 2011, at 1:30 p.m., in the above referenced Court, shall be taken off calendar.

3 Dated: November 29, 2011

FARUQI & FARUQI, LLP

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5 By: /s/Vahn Alexander
VAHN ALEXANDER (167373)

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10 *Counsel for Proposed Lead Plaintiff Joel Krieger*
11 *and the Proposed Class*

12 Dated: November 29, 2011

PILLSBURY WINTHROP SHAW PITTMAN LLP

13 By: /s/David M. Furbush
14 David M. Furbush

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18 *Counsel for Defendants Atheros Communications, Inc.,*
19 *Willy C. Shih, Teresa H. Meng, Craig H. Barratt,*
Andrew S. Rappaport, Dan A. Artusi, Charles E.
Harris, Marshall L. Mohr and Christine King

20 Dated: November 29, 2011

DLA PIPER LLP

21
22 By: /s/David Priebe
David Priebe

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24 East Palo Alto, CA 94303
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26 *Counsel for Defendants Qualcomm Inc. and T Merger*
27 *Sub, Inc.*

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Dated: November 29, 2011

/s/Vahn Alexander
Vahn Alexander

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ORDER

The above Stipulation having been considered, and GOOD CAUSE appearing therefore, pursuant to Civil Local Rule 7-1(b), oral argument scheduled for December 15, 2011, at 1:30 p.m., in connection with Plaintiff's Motion for Lead Plaintiff and appointment of Faruqi & Faruqi, LLP as Lead Counsel having been waived by all parties, the hearing date regarding Plaintiff's Lead Plaintiff Motion is taken off calendar.

IT IS SO ORDERED.

Dated: _____

The Honorable Lucy H. Koh
United States District Court Judge

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/s/Vahn Alexander
Vahn Alexander

Mailing Information for a Case 5:11-cv-00640-LHK

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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